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EXAMINER

CHOKSHI, PINKAL R

ART UNIT

PAPER NUMBER

2425

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/576,586	<b>Applicant(s)</b> MORI ET AL.	
	<b>Examiner</b> PINKAL CHOKSHI	<b>Art Unit</b> 2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 12/3/2008 with respect to claims 1 and 8 have been considered but are moot in view of the new ground(s) of rejection. With regard to the dependent claims, the respective rejections are maintained as Applicant has only argued that the secondary references do not cure the deficiencies of Naruse, nevertheless it is the Examiner's contention that Naruse does not contain any deficiencies. See the new rejection below.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 1 and 8** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Regarding claims 1 and 8, it is unclear when claiming "...reconstruct each segmented data accumulated in the buffer into the content *before the segmentation of the data...*" It is ambiguous what the Applicant means by content before the segmentation of the data. When content data received from the communication units, they are received as a segment from each communication unit and reconstruction unit reconstructs these segmented data into content. It is ambiguous why reconstructed content being segmented again.

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Applicant is asked to clarify. For the purpose of examination, it is the Examiner's position that any distance reads on above limitation and such is in accordance with broadest reasonable interpretation, and from the perspective of one having ordinary skill in the art.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over US PG Pub 2002/0183026 to Naruse (hereafter referenced as Naruse) in view of US PG Pub 2004/0154043 to Roman (hereafter referenced as Roman), US PG Pub 2005/0034158 to Delavega (hereafter referenced as Delavega) and US PG Pub 2007/0150930 to Koivisto (hereafter referenced as Koivisto).

Regarding **claim 1**, “a content reproduction device that performs streaming reproduction of a content” reads on the communication quality of data between the transmission system and the receiver (abstract) disclosed by Naruse and represented in Fig. 1.

As to “the device comprising: a content reconstruction unit having a buffer in which each segmented data of the content received by a corresponding one of said plurality of communication units is temporarily accumulated, and configured

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to reconstruct each segmented data accumulated in the buffer into the content before the segmentations of the data” Naruse discloses (§§0035, §§0038 and §§0111) that the mobile terminal includes data storage unit that stores data, such as audio, video, text, received in receiving unit and transmit the content to decoder unit as represented in Fig. 2 (element 17).

As to “a reproduction unit configured to extract the content before the segmentations of the data from the buffer at a predetermined bit rate and to reproduce the content before the segmentations of the data at the predetermined bit rate, the content, before the segmentation of the data, having been reconstructed by said content reconstruction unit” Naruse discloses (§§0038) that the decoder (reproduction unit) decodes and produce the data received and stored in the storage device to the output device as represented in Fig. 2 (element 18). Naruse further discloses (§§0038 and §§0043) that the decoder decodes contents based on the predetermined bit rate information received from the control unit.

As to “a communication control unit configured to: calculate, for every predetermined time, target transmission speeds to be assigned for content reception by causing the target transmission speeds to associate respectively with said plurality of communication units, based on free space in the buffer and the bit rate” Naruse discloses (§§0050) that the receiving control unit in mobile terminal calculates the transmission speed in order to control the bit rate as

represented in Fig. 4. Naruse further discloses (§0037) that the receiving control unit monitors the data storage volume to be stored in the data storage unit.

As to “transmit a first request signal indicating the calculated target transmission speeds corresponding to said plurality of communication units to the content transmission device via one of said communication units” Naruse discloses (§0052-§0054) that the mobile terminal requests the corrected transmission speed to the transmission control unit where transmission system transmit data matching to corrected transmission speed as represented in Fig. 4.

Naruse meets all the limitations of the claim except “a plurality of communication units, each being configured to receive a content transmitted in segments from a content transmission device over a communication path.” However, Roman discloses (§0028) that the end user device receives cable content via telecommunication network that includes wireless LAN and cellular network as represented in Figs. 5 and 6. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse’s invention by using multiple communication units to receive contents as taught by Roman in order to deliver wide range of entertainment and data services to users using separate telecommunication services (§0005).

Combination of Naruse and Roman meets all the limitations of the claim except “transmission speeds to associate with communication unit.” However, Delavega discloses (§0027 and §0028) that the device using LAN/WAN/Internet connections transmits/receives data associated to their speed as represented in

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Fig. 3. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse and Roman's inventions by matching transmission speed with communication unit as taught by Delavega so user can constantly receive content at all the time with correct transmission speed.

Combination of Naruse, Roman and Delavega meets all the limitations of the claim except "wherein said plurality of communication units receive part of the segmented data of the content obtained by segmenting data of a single content." However, Koivisto discloses (§§0068, §§0074, §§0076, and §§0082) that the mobile communication device is connected to the content provider and the mobile network/Internet via a wireless network as represented in Fig. 2 (elements 13, 27). Koivisto further discloses (§§0080 and §§0105) that the storage unit in the mobile communication stores content file, that has first and second parts, received from content sources such as content provider and Internet/mobile network as mentioned above and represented in Fig. 2 (element 19). Koivisto further discloses that the multiple parts of the content received from content sources are bookmarked and stored in the storage unit as a single file as represented in Fig. 16 (element 118). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse, Roman and Delavega's inventions by using multiple communication units to receive segmented content data as taught by Koivisto so the viewer can only view his/her favorite scenes/program without missing any data.

Regarding **claim 2**, “the content reproduction device wherein the first request signal indicates addresses for said plurality of communication units” Roman discloses (¶0036 and claim 10) that the cable content is communicated to the device based on the IP address of the device in a data network. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse’s invention by indicating addresses for communication units as taught by Roman in order to deliver wide range of entertainment and data services to users using correct transmission speed.

Regarding **claim 3**, “the content reproduction device wherein the first request signal is a content obtainment command indicating addresses for said plurality of communication units” Naruse discloses (¶0052 and ¶0053) that the mobile terminal requests the corrected transmission speed to the transmission control unit. Naruse does not explicitly teach that the request signal includes the address for communication unit. Roman discloses (¶0036 and claim 10) that the cable content is communicated to the device based on the IP address of the device in a data network. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse’s invention by indicating addresses for communication units as taught by Roman in order to deliver wide range of entertainment and data services to users using correct transmission speed.



Regarding **claim 4**, combination of Naruse and Roman meets all the limitations of the claim except “the content reproduction device further comprising a communication fee storage unit which stores, in advance, communication fees of said plurality of communication units, wherein said communication control unit is configured to determine the target transmission speeds of said plurality of communication units based on the communication fees.” However, Delavega discloses (¶0018 and ¶0048) that the viewer previously purchases program content on wholesale/unlimited use billing. Delavega further discloses (¶0027 and ¶0028) that in a WAN/Wi-fi base station, receiver receives data at upto 54 mbps and in cellular wireless network, data speed is ranging 50 to 144 kbps. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse and Roman’s inventions by previously paying for program content as taught by Delavega so the viewer does not have to go through trouble of making payment while watching program content.

Regarding **claim 5**, “the content reproduction device further comprising: a reception state storage unit which stores, in advance, data reception speeds of said plurality of communication units at each position on the traveling route obtained by said traveling route obtainment unit” Naruse discloses (¶0097-¶0099) that the storage unit in mobile wireless terminal stores content data in case the data transmission speed decreases on the traveling path.

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As to “wherein said communication control unit is configured to determine the target transmission speeds of said plurality of communication units based on free space in the buffer and the data reception speeds of said plurality of communication units at a position indicated by information on a planned transit position after the present position, the data reception speeds being stored in said reception state storage unit” Naruse discloses (§0050) that the receiving control unit in mobile terminal determines the transmission speed in order to control the bit rate as represented in Fig. 4. Naruse further discloses (§0037) that the receiving control unit monitors the data storage volume to be stored in the data storage unit. Naruse discloses (§0097-§0099) that the storage unit in mobile wireless terminal stores content data in case the data transmission speed decreases on the traveling path

Naruse meets all the limitations of the claim except “a present position detection unit configured to detect a present position and a traveling route obtainment unit configured to obtain a traveling route starting from the present position detected by said present position detection unit” Roman discloses (§0033 and §0034) that the content data is transmitted to receiver that includes GPS, which is used to measure current position as well as traveling route information as represented in Figs. 9 and 10. In addition, same motivation is used at to reject claim 1.

Regarding **claim 6**, “the content reproduction device further comprising a reception speed measurement unit configured to measure data reception speeds of said plurality of communication units” Naruse discloses (§0060) that the unit determines reception/transmission speed received in mobile terminal as represented in Fig. 5 (element SP14).

As to “wherein said communication control unit is configured to: calculate modified target transmission speeds, each being calculated based on a difference between the target transmission speed assigned for the content reception of each of said communication units and each of the data reception speeds measured by said reception speed measurement unit and transmit a second request signal indicating the calculated target transmission speeds to the content transmission device via one of said communication units” Naruse discloses (§0048-§0055) that the transmission system transmits pilot signal to mobile terminal where mobile terminal determines transmission speed and based on the reception speed received in mobile terminal, it transmits request of corrected transmission speed to transmission system. Transmission system receives the request of corrected transmission speed and transmits data using modulation system corresponding to corrected transmission speed and mobile terminal receives data at corrected transmission speed as represented in Fig. 4 (elements SP1-SP9).

Regarding **claim 7**, “a content transmission device that transmits a content over a communication path” reads on the communication quality of data between the transmission system and the receiver (abstract) disclosed by Naruse and represented in Fig. 1.

As to “the device comprising: a content accumulation unit configured to accumulate a content” Naruse discloses (§0032) that the data storage unit stores content data as represented in Fig. 2 (element 12).

As to “a communication unit configured to communicate, over the communication path, with a content reproduction device that includes a plurality of communication units with different addresses” Naruse discloses (§0034) that the data output unit and transmission control unit communicates with mobile terminal over communication path as represented in Fig. 2 (elements 13, 14, 15, 16, 20).

As to “a content segmentation unit configured to: determine amounts of content data to be transmitted based on target transmission speeds of the respective addresses every time a first request signal indicating target transmission speeds of the respective addresses is received, the amounts of content data to be transmitted being determined for the respective addresses” Naruse discloses (§0050) that the receiving control unit in mobile terminal calculates the transmission speed in order to control the bit rate as represented in Fig. 4. Naruse further discloses (§0037) that the receiving control unit monitors the data storage volume to be stored in the data storage unit. Naruse

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further discloses (¶0052 and ¶0053) that the mobile terminal requests the corrected transmission speed to the transmission control unit as represented in Fig. 4.

As to “segment the content accumulated in said content accumulation unit and transmit each segmented data of the content addressed to each of the addresses via said communication unit” Naruse discloses (¶0034) that the transmission system transmits packetized data of audio, video, data to mobile terminal as represented in Fig. 2.

Naruse meets all the limitations of the claim except “content transmitted to communication units with addresses”. However, Roman discloses (¶0036 and claim 10) that the cable content is communicated to the device based on the IP address of the device in a data network. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse’s invention by indicating addresses for communication units as taught by Roman in order to deliver wide range of entertainment and data services to users using correct transmission speed.

Combination of Naruse and Roman meets all the limitations of the claim except “content data is transmitted based on transmission speeds of addresses”. Delavega further discloses (¶0027 and ¶0028) that in a WAN/Wi-fi base station, receiver receives data at upto 54 mbps and in cellular wireless network, data speed is ranging 50 to 144 kbps. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse and

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Roman's inventions by previously paying for program content as taught by Delavega so the viewer does not have to go through trouble of making payment while watching program content.

Combination of Naruse, Roman and Delavega meets all the limitations of the claim except "wherein the plurality of communication units receive part of the segmented data of the content obtained by segmenting data of a single content." However, Koivisto discloses (§§0068, §§0074, §§0076, and §§0082) that the mobile communication device is connected to the content provider and the mobile network/Internet via a wireless network as represented in Fig. 2 (elements 13, 27). Koivisto further discloses (§§0080 and §§0105) that the storage unit in the mobile communication stores content file, that has first and second parts, received from content sources such as content provider and Internet/mobile network as mentioned above and represented in Fig. 2 (element 19). Koivisto further discloses that the multiple parts of the content received from content sources are bookmarked and stored in the storage unit as a single file as represented in Fig. 16 (element 118). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse, Roman and Delavega's inventions by using multiple communication units to receive segmented content data as taught by Koivisto so the viewer can only view his/her favorite scenes/program without missing any data.

Regarding **claim 8**, “a content reproduction method for performing streaming reproduction of a content” reads on the communication quality of data between the transmission system and the receiver (abstract) disclosed by Naruse and represented in Fig. 1.

As to “the method comprising: a content reconstruction step of temporarily accumulating, in a buffer, each segmented data of the content received in a corresponding one of the plurality of communication steps, and reconstructing each segmented data accumulated in the buffer into the content before the segmentation of the data” Naruse discloses (¶¶0035, ¶¶0038 and ¶¶0111) that the mobile terminal includes data storage unit that stores data, such as audio, video, text, received in receiving unit and transmit the content to decoder unit as represented in Fig. 2 (element 17).

As to “a reproduction step of extracting the content before the segmentation of the data from the buffer at a predetermined bit rate and reproducing the content before the segmentation of the data at the predetermined bit rate, the content, before the segmentation of the data, having been reconstructed in the content reconstruction step” Naruse discloses (¶¶0038) that the decoder (reproduction unit) decodes and produce the data received and stored in the storage device to the output device as represented in Fig. 2 (element 18). Naruse further discloses (¶¶0038 and ¶¶0043) that the decoder decodes contents based on the predetermined bit rate information received from the control unit.

As to “a communication control step of: calculating, for every predetermined time, target transmission speeds to be assigned for content reception by causing the target transmission speeds to associate respectively with the plurality of communication steps, based on free space in the buffer and the bit rate” Naruse discloses (§0050) that the receiving control unit in mobile terminal calculates the transmission speed in order to control the bit rate as represented in Fig. 4. Naruse further discloses (§0037) that the receiving control unit monitors the data storage volume to be stored in the data storage unit.

As to “transmitting a first request signal indicating the calculated target transmission speeds corresponding to the plurality of communication units to the content transmission device using one of the plurality of communication steps” Naruse discloses (§0052-§0054) that the mobile terminal requests the corrected transmission speed to the transmission control unit where transmission system transmit data matching to corrected transmission speed as represented in Fig. 4.

Naruse meets all the limitations of the claim except “a plurality of communication steps, in each of which a content transmitted in segments from a content transmission device over a communication path is received.” However, Roman discloses (§0028) that the end user device receives cable content via telecommunication network that includes wireless LAN and cellular network as represented in Figs. 5 and 6. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse’s invention by using multiple communication units to receive contents as taught by



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Roman in order to deliver wide range of entertainment and data services to users using separate telecommunication services (§§0005).

Combination of Naruse and Roman meets all the limitations of the claim except “transmission speeds to associate with communication unit.” However, Delavega discloses (§§0027 and §§0028) that the device using LAN/WAN/Internet connections transmits/receives data associated to their speed as represented in Fig. 3. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse and Roman’s inventions by matching transmission speed with communication unit as taught by Delavega so user can constantly receive content at all the time with correct transmission speed.

Combination of Naruse, Roman and Delavega meets all the limitations of the claim except “wherein the plurality of communication steps receive part of the segmented data of the content obtained by segmenting data of a single content.” However, Koivisto discloses (§§0068, §§0074, §§0076, and §§0082) that the mobile communication device is connected to the content provider and the mobile network/Internet via a wireless network as represented in Fig. 2 (elements 13, 27). Koivisto further discloses (§§0080 and §§0105) that the storage unit in the mobile communication stores content file, that has first and second parts, received from content sources such as content provider and Internet/mobile network as mentioned above and represented in Fig. 2 (element 19). Koivisto further discloses that the multiple parts of the content received from content

sources are bookmarked and stored in the storage unit as a single file as represented in Fig. 16 (element 118). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse, Roman and Delavega's inventions by using multiple communication units to receive segmented content data as taught by Koivisto so the viewer can only view his/her favorite scenes/program without missing any data.

Regarding **claim 9**, "a content transmission method for transmitting a content over a communication path" reads on the communication quality of data between the transmission system and the receiver (abstract) disclosed by Naruse and represented in Fig. 1.

As to "the method comprising: a communication step of communicating, over the communication path, with a content reproduction device that includes a plurality of communication units with different addresses" Naruse discloses (§0034) that the data output unit and transmission control unit communicates with mobile terminal over communication path as represented in Fig. 2 (elements 13, 14, 15, 16, 20).

As to "a content segmentation step of: determining amounts of content data to be transmitted based on target transmission speeds of the respective addresses every time a first request signal indicating target transmission speeds of the respective addresses is received, the amounts of content data to be transmitted being determined for the respective addresses" Naruse discloses

(¶0050) that the receiving control unit in mobile terminal calculates the transmission speed in order to control the bit rate as represented in Fig. 4.

Naruse further discloses (¶0037) that the receiving control unit monitors the data storage volume to be stored in the data storage unit. Naruse further discloses (¶0052 and ¶0053) that the mobile terminal requests the corrected transmission speed to the transmission control unit as represented in Fig. 4.

As to “segmenting the content accumulated in a content accumulation unit and transmitting each segmented data of the content addressed to each of the addresses using said communication step” Naruse discloses (¶0034) that the transmission system transmits packetized data of audio, video, data to mobile terminal as represented in Fig. 2.

Naruse meets all the limitations of the claim except “content transmitted to communication units with addresses”. However, Roman discloses (¶0036 and claim 10) that the cable content is communicated to the device based on the IP address of the device in a data network. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse’s invention by indicating addresses for communication units as taught by Roman in order to deliver wide range of entertainment and data services to users using correct transmission speed.

Combination of Naruse and Roman meets all the limitations of the claim except “content data is transmitted based on transmission speeds of addresses”. Delavega further discloses (¶0027 and ¶0028) that in a WAN/Wi-fi base station,

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receiver receives data at upto 54 mbps and in cellular wireless network, data speed is ranging 50 to 144 kbps. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse and Roman's inventions by previously paying for program content as taught by Delavega so the viewer does not have to go through trouble of making payment while watching program content.

Combination of Naruse, Roman and Delavega meets all the limitations of the claim except "wherein said plurality of communication units receive part of the segmented data of the content obtained by segmenting data of a single content." However, Koivisto discloses (§§0068, §§0074, §§0076, and §§0082) that the mobile communication device is connected to the content provider and the mobile network/Internet via a wireless network as represented in Fig. 2 (elements 13, 27). Koivisto further discloses (§§0080 and §§0105) that the storage unit in the mobile communication stores content file, that has first and second parts, received from content sources such as content provider and Internet/mobile network as mentioned above and represented in Fig. 2 (element 19). Koivisto further discloses that the multiple parts of the content received from content sources are bookmarked and stored in the storage unit as a single file as represented in Fig. 16 (element 118). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Naruse, Roman and Delavega's inventions by using multiple communication units to

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receive segmented content data as taught by Koivisto so the viewer can only view his/her favorite scenes/program without missing any data.

Regarding **claim 10**, “a program stored on a computer-readable medium for a content reproduction device that performs streaming reproduction of a content, the program causing a computer to execute the steps included in the content reproduction method according to claim 8” Koivisto discloses (§0017 and claim 100) that the the computer readable medium storing the computer program for the above mentioned invention. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recorded medium to Naruse and Roman’s system in order to easily install computer program on the other computer devices.

Regarding **claim 11**, “a program stored on a computer-readable medium for a content transmission device that transmits a content over a communication path, the program causing a computer to execute the steps included in the content transmission method according to claim 9.” Koivisto discloses (§0017 and claim 100) that the the computer readable medium storing the computer program for the above mentioned invention. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recorded medium to Naruse and Roman’s

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system in order to easily install computer program on the other computer devices.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Pinkal Chokshi/  
Examiner, Art Unit 2425

/Brian T. Pendleton/  
Supervisory Patent Examiner, Art Unit 2425